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APR 19 2002

FAX MESSAGE

TECHNOLOGY CENTER 2800

Send To:

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Name K. Karen Loewenstein Floor: 4 Operator Sending:

Telephone Number: 202.739.5635 Time Sent: Date Sent: April 19, 2002

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Comments: Re: U.S. Patent Application No.: 09/613,742
Inventor: Masayoshi OKURA *et al.*
Attorney Docket No.: 046601-5053

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re Application of: Masayoshi OKURA, et al.

Application No.: 09/613, 742

Group Art Unit: 2872

Filed: July 11, 2000

Examiner: J, PHAN

For: ROTARY DEFLECTOR, OPTICAL SCANNING UNIT
AND IMAGE FORMING APPARATUS

1. Response to Species Election Requirement
Transmittal Form
2. Response to Species Election Requirement
mailed October 2, 2001

Dated: February 4, 2002

Attorney Docket No.: 046601-5053

KKL/XY

**DOCKETED**By JG Date 2/5/02

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Application No. 09/613,742
Attorney Docket No. 046801-5053
TECHNOLOGY CENTER 2800
Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Masayoshi OKURA, et al.)
Application No.: 09/613,742) Group Art Unit: 2872
Filed: July 11, 2000) Examiner: J. PHAN
For: ROTARY DEFLECTOR, OPTICAL)
SCANNING UNIT AND IMAGE)
FORMING APPARATUS)

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO SPECIES ELECTION REQUIREMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to the Species Election Requirement mailed October 2, 2001 (paper no. 4). Filed concurrently is a Petition for three-month extension of time, whereby response is due February 4, 2002 (please note that February 2, 2002 was a Saturday).
2. Additional papers enclosed.

- Supplemental Information Disclosure Statement
 Form PTO-1449, ___ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Application No. 09/613,742
Attorney Docket No. 046601-5053
Page 2

3. **EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136(a) apply.

- [] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- [X] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>Fee for Small Entity</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 380.00	\$190.00
[X] three months	\$ 870.00	\$435.00
[] four months	\$1,360.00	\$680.00
[] five months	\$1,850.00	\$925.00

Extension of time fee due with this request: \$ 870.00

If an additional extension of time is required, please consider this a Petition therefor.

- [] An extension for ___ months has already been secured and the fee paid therefor of \$ ___ is deducted from the total fee due for the total months of extension now requested.

4. **Constructive Petition**

- [X] EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Application No. 09/613,742
 Attorney Docket No. 046601-5053
 Page 3

5. Fee Calculation

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims	12	minus	12	0	<u>0</u> x \$18 each =	+ \$0.00
Independent Claims	03	minus	03	0	<u>0</u> x \$84 each =	+ \$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)				1	\$270.00	+ \$0.00
						\$0.00
					SUB-TOTAL =	
						- \$0.00
			Reduction by 1/2 for filing by a small entity			
						TOTAL FEE =
						\$0.00

6. Fee Payment

No fee is to be paid at this time.

Please charge Deposit Account 50-0310 in the amount of \$870.00 for the three-month extension fee.

Application No. 09/613,742
Attorney Docket No. 046601-5053
Page 4

- [X] **The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.**

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:


K. Karen Loewenstein
Registration No. 41,161

Dated: February 4, 2002

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